

March 14, 2023

**Via IZIS**

D.C. Board of Zoning Adjustment  
441 4<sup>th</sup> Street, N.W.  
Suite 200S  
Washington, D.C. 20001

Re: **19943B – Request for Minor Modification of BZA Order No. 19943 as modified in Order No. 19943-A – 1700 Pennsylvania Avenue NW (Square 168, Lot 50) (the “Property”)**

Dear Chairman Hill and Members of the Board:

This minor modification request is by Mills Building Associates, LLC, owner of the building located at 1700 Pennsylvania Avenue NW (the “**Building**”) and the White House Historical Association (“**WHHA**”), as a potential tenant in a portion of the Building (collectively the “**Applicants**”). They seek a minor modification of the plans approved in BZA Application No. 19943 (the “**Original Order**”) as later modified in Order No. 19943-A (the “**Modification Order**”). The Original Order and the Modification Order (together, the “**Orders**”) are attached as **Exhibit A**. This modification is sought pursuant to Subtitle Y § 703 of the Zoning Regulations. The modification will facilitate the use by WHHA.

The previous BZA relief was sought in connection with the expansion of the main portion of the Building and the construction of a habitable penthouse. In Order No. 19943, the Board approved area variances from Subtitle C § 1500.3(d) to permit a habitable penthouse within the vicinity of the White House and from the minimum loading requirements of Subtitle C § 901.1 to provide one loading berth where two berths otherwise would be required. In the Modification Order, the Board also approved a minor modification of the Original Order to change the interior layout of the ground floor as well as the layout, setbacks, and massing of the proposed penthouse.

The expansion and penthouse construction approved by the BZA in the Orders have been completed. A Core and Shell Certificate of Occupancy was issued for a portion of the Building on February 8, 2022.

The plans approved by the Orders (the “**Approved Plans**”) refer to retail and office uses. The Applicant proposes to expand the uses shown on the Approved Plans to include museum/visitors center and meeting uses in addition to office and retail use. Those uses would be permitted in the underlying D-5/D-6 zones. The plans for the proposed modification are attached as **Exhibit B** (the “**Modified Plans**”).

The WHHA is a nonprofit educational association founded in 1961 for the purpose of enhancing the understanding, appreciation, and enjoyment of the White House Executive Mansion. It was created at the recommendation of the National Park Service and with the support of First Lady Jacqueline Kennedy. All proceeds from the sale of WHHA books and products are used to fund the acquisition of historic furnishings and artwork for the permanent White House collection, assist in the preservation of public rooms, and further its educational mission. WHHA also sponsors lectures, exhibits, and other outreach programs, through which thousands of schools, universities, and libraries have received free educational materials about the White House. The proposed museum/visitors center will create an interactive experience about the White House, provide a gift shop that will be open to the public, and include office and meeting space for the WHHA as well as the museum/visitors center staff.

WHHA's use of the Building's ground floor will be devoted to the museum/visitors center as well as the related gift shop. Accordingly, the retail use of this floor as shown in the Approved Plans will need to be modified slightly. The portion of the second floor that will be leased to WHHA will be devoted to museum/visitors center space rather than the office use shown on the Approved Plans. Finally, WHHA's portion of the third floor will be used for conference rooms and offices for WHHA and also for accessory office space for the museum/visitors center resulting in the need for a slight change in the general office use shown in the Approved Plans. The changes are shown in the Modified Plans.

The Applicant seeks approval of the requested minor modification pursuant to Subtitle Y § 703.3. The request qualifies as a minor modification because the proposed revisions "do not change the material facts upon which the Board based its original approval of the application." Museum/visitor center use is permitted as a matter of right in the D-5/D-6 zones and parking is not required. Further, the proposed uses do not change the loading requirements for the Building set forth in the Zoning Regulations. Also, from a practical standpoint, the loading demand will be minimal.

As noted above, the Board granted variance relief to permit the penthouse to include habitable space and to provide one loading berth rather than the otherwise required two berths. The proposed revisions to the Approved Plans have no impact on the facts upon which the Board based its conclusion that the Applicant had met its burden under the variance test. Accordingly, the Applicant respectfully requests that the consideration of this application be scheduled for the Board's consent calendar pursuant to Subtitle Y § 703.

In addition to the prior Board orders and updated plans, attached as **Exhibit C** are the authorization letters from the property owner and WHAA as the prospective tenant to file the modification application. Also included is a check in the amount of \$540.80, which represents the filing fee in this matter. Please feel free to contact the undersigned at (202) 721-1106 if you have any questions and thank you for your consideration of this matter.

Sincerely,

/s/  
Allison C. Prince

## **Certificate of Service**

The undersigned hereby certifies that copies of the foregoing document were delivered by email delivery to the following addresses on March 14, 2023.

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\_\_\_\_\_/s/  
Allison C. Prince